

REMARKS

Claims 1-28 were pending in the application with claims 1-5, 16-21, 24-25, and 28 being withdrawn from consideration. In the present amendment, claims 6, 11, 22, 23, 26, and 27 have been amended while no claims have been cancelled or added. Therefore, claims 1-28 remain pending in the application with claims 1-5, 16-21, 24-25, and 28 being withdrawn from consideration.

This amendment changes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under consideration.

In the Office Action, claims 6-16, 22, 23, 26, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over U. S. Patent No. 6,151,582 (hereafter "Huang") in view of U. S. Patent No. 5,893,076 (hereafter "Hafner") and the Examiner's Official Notice. Applicants respectfully traverses this rejection for at least the following reasons.

The independent claims 6, 11, 26, and 27 recite a computer program product for a revenue model in a network based supply chain management framework that includes a plurality of independent stores in which advertising is directed to a user based on the analysis of the data accessed by the user from the data received from the plurality of independent stores. See, for example, pages 51-54 for description of the several of the features recited in the pending claims. These recited features are not disclosed or suggested by the applied prior art.

Specifically, the Office Action acknowledges that the Huang does not disclose anything related to the claimed advertising to a user based on the analysis of data accessed by the user. In fact, Huang does not even disclose or suggest a revenue model for a supply chain framework in which the supply chain framework itself generates revenue. Rather, Huang relates only to a decision support system for managing an agile supply chain and does not disclose or suggest anything related to a revenue model. Therefore, Huang does not disclose or suggest anything related to (1) the claimed revenue model, and (2) the claimed advertising directed to a user of the supply chain framework based on an analysis of the data (by the revenue model) accessed by the user.

These deficiencies in Huang are not cured by any of the other applied references. Specifically, Hafner does not disclose either of these claimed features. *First*, Hafner also does not disclose or suggest a revenue model in a supply chain framework since it is directed to a supplier driven commerce transaction system that attempts to move the inventory management function from the retailers to the suppliers. See, for example, col. 2, lines 17-22 of Hafner. *Second*, Hafner does not disclose or suggest advertising to the user (of a retailer, for example) based on data accessed by the user. Rather, Hafner teaches a transaction processing system that allows suppliers to create and approve business transactions based on a transaction suggestions from a replenishment system independent of the retailer. See, for example, col. 3, lines 27-31 of Hafner. Therefore, Hafner's purchase orders (assuming arguendo that they correspond to the claimed advertising) generated by the supplier are generated independent of the user in sharp contrast to recitations in independent claims 6, 11, 26, and 27.

Therefore, independent claims 6, 11, 26, and 27 are patentable over the applied prior art.

Independent claims 22 and 23 (as well as the independent claims 26 and 27) recite a computer program product for a revenue model in a network based supply chain management framework that includes a plurality of independent stores in which a user gets offers to sell from independent third parties of products related to the store utilizing the interface to the supply chain framework. See, for example, pages 51-54 for description of the several of the features recited in the pending claims. These recited features are not disclosed or suggested by the applied prior art.

As discussed earlier, neither Huang nor Hafner disclose anything related to a revenue model in a network based supply chain management framework. Furthermore, both Huang and Hafner relate to a supply chain where known suppliers supply to known retailers and there is no disclosure of a user of the framework getting offers to sell, from independent third parties, of products related to the store utilizing the interface to the network based supply chain management framework. Therefore, these claims are also patentable over the applied prior art.

The dependent claims are also patentable for at least the same reasons as the independent claims on which they ultimately depend. In addition, they recite additional patentable features when considered as a whole.

Furthermore, applicants note that the Office Action uses official notice to reject several of the claimed features in the claims. Applicants believe that official notice is not appropriate for these features and the examiner is respectfully requested to cite a reference that discloses these claimed features if their rejection is to be maintained. See MPEP §2144.03.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, postdated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No 19-0741.

Respectfully submitted,

Date June 15, 2004

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